



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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February 6, 2012

William Temkin
AlphaGary Corporation
170 Pioneer Drive
Leominster, MA 01453

RE: Leominster
Transmittal No.: X238971
Approval No.: CE-11-020
Class: SM79-7
FMF No.: 132735
SSEIS No. 118-0049
AIR QUALITY PLAN APPROVAL

Dear Mr. Temkin:

The Massachusetts Department of Environmental Protection ("MassDEP"), Bureau of Waste Prevention, has reviewed your Limited Plan Application (the "Application") listed above. This Application concerns the proposed alteration and operation of the polymer compounding processes at your manufacturing facility located at 170 Pioneer Drive in Leominster, Massachusetts (the "Facility").

This Application was submitted in accordance with 310 CMR 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 "Air Pollution Control," regulations adopted by MassDEP pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-J, Chapter 21C, Section 4 and 6, and Chapter 21E, Section 6. MassDEP's review of your Application has been limited to air pollution control regulation compliance and does not relieve you of the obligation to comply with any other regulatory requirements.

MassDEP has determined that the Application is administratively and technically complete and that the Application is in conformance with the Air Pollution Control regulations and current air pollution control engineering practice, and hereby grants this **Plan Approval** for said Application, as submitted, subject to the conditions listed below.

Please review the entire Plan Approval, as it stipulates the conditions with which AlphaGary as owner/operator (the "Permittee") must comply in order for the Facility to be operated in compliance with this Plan Approval.

1. DESCRIPTION OF FACILITY AND APPLICATION

A. FACILITY, PROCESS AND EMISSIONS DESCRIPTION

1. The Company and its Products

AlphaGary Corporation (the “Permittee”) performs polymer compound manufacturing as well as color concentrate packaging at the 170 Pioneer Drive, Leominster facility. Polymer compound manufacturing is the production of compounded polymers, polymer blends, and intermediates that are sold as product. The primary polymer that is compounded is polyvinyl chloride (PVC). Other polymers and polymer blends include thermoplastic elastomers (TPE), thermoplastic olefins (TPO), vulcanized polyethylene (VPE), fluoropolymers, vinyl alloys with styrenic polymers, and alloys with polyurethane.

The pelletized product is sold to a variety of end-users in various markets. The predominant market application for products sold includes wire and cable manufacturers who extrude it and coat their products with it. Additionally, products are sold to manufacturers that mold or extrude plastics for automotive, footwear and other applications. Compounds are formulated to meet the varied specifications of each end-use application, including those needed by the wire and cable manufacturers to meet fire and safety codes.

Color concentrate packaging is a small operation at the Facility. Color concentrate pellets are stored in a variety of packages including fiber drums and stored in warehouse. The pellets are manually transferred and placed into other containers, when required.

2. Process Description

The polymer compounding process, Emission Unit #1 (“EU #1”), takes place on nine distinct operating lines supported by additional mixers and ribbon blenders. EU #1 begins with the introduction of raw materials to the Facility. Raw materials are received in bulk and non-bulk containers. PVC resin and calcium carbonate is pneumatically transferred into seven silos equipped with baghouses for particulate control. Particulate emissions are controlled by the use of baghouses on the silos during filling. The Permittee utilizes 21 aboveground bulk liquid storage tanks ranging in capacity from 2000 gallons to 15,000 gallons for various plasticizers and other ingredients. A variety of non-bulk powder and liquid materials are stored in the warehouse in various sized sealed containers including 50 pound bags, tote tanks, drums, and buckets.

Blending is often the first step in production on the compounding lines. Raw materials such as polymer resins, fillers, and additives are mixed at a temperature ranging from ambient to about 135° F for product functionality. Additionally, raw materials can be introduced to the intensive compounding process directly, without blending. Ribbon blenders and auxiliary processes including manual weighing are equipped with dust collection baghouses to control particulate

emissions and to minimize personal exposure. A dryblend intermediate is produced following blending; a small percentage is recycled and sold as product.

The dryblend intermediate is then compounded such that the mixture is fused by heat and intensive shear mixing into a homogeneous polymer matrix utilizing various plastics compounding processes including: 3 Banbury mixers, kneaders and twin screw extruders, single screw extruders, and two-roll mills. Dust collection baghouses are installed to control particulate emissions from the Banbury mixers and auxiliary processes as well as other compounding processes including loss-in-weight feeder systems. Compounding temperatures range from 330° F to 400°F.

The homogeneous polymer matrix is then processed by milling and/or extrusion to improve product quality and to prepare the material for pelletizing and subsequent packaging. Milling is performed at a temperature of about 330° F on four production lines equipped with two-roll mills. Particulate emissions from the roll mills are controlled by filters in the exhaust ducts. VOC's may also be emitted. Several production lines utilize underwater pellet handling systems (an alternate process arrangement in place of two-roll mill). The extruded polymer matrix is then quenched by contact cooling water, pelletized and packaged for shipment.

Color concentrate packaging, Emission Unit #2 ("EU #2") involves manually transferring color concentrate pellets from a container and placing the pellets into another container for shipping. The practice of relabeling packages is used whenever possible. The potential to generate particulate emissions, including chromium compounds and lead compounds, is considered to be negligible as toxics use reduction efforts have successfully reduced these substances of concern. Potential emissions are included in the uncontrolled general ventilation particulate emissions in Table 2.

3. Emissions Description

Particulate emissions are generated from both EU #1 and EU #2. Particulate emissions may include lead, antimony, and chromium which are Hazardous Air Pollutants (HAPs). Fugitive emissions from general exhausts located throughout different production areas in the Facility are included in this Plan Approval as they have been quantified and exceed permit thresholds (greater than 1 ton per year). Emissions are minimized by the use of fabric filters, baghouses, good housekeeping, and other Best Management Practices. The emission calculation methods for particulate matter were developed for the AlphaGary Approval Transmittal #108086 issued on December 21, 2001 and are included in Table 6 of this Plan Approval No. CE-11-020.

Volatile Organic Compounds (VOC) are emitted to the ambient air from EU #1 raw materials receiving and storage and polymer compounding operations. Vinyl chloride, one of the VOCs emitted, is also a Hazardous Air Pollutant (HAP). The emission factors for VOC were developed from testing work done at a similar polymer processing facility, Gitto Global (now known as S&E Specialty Polymers) in Lunenburg. The emission factors were discussed in the previous Plan Approval applications for both the Permittee and Gitto Global. The most recent

Plan Approval for Gitto Global, Transmittal #W024178 issued on March 8, 2004, incorporated the same emission factors that are presented in Table 7 of this Plan Approval No. CE-11-020.

Ammonia can potentially be produced and released during the polymer blending or compounding operations. The primary source of ammonia is a byproduct of ammonium octamolybdate (“AOM”) a functionality additive. The release of ammonia from AOM occurs as a result of decomposition and/or reactions with other components. The emission calculation method for ammonia was developed for the AlphaGary Approval Transmittal #108086 issued on December 21, 2001, and is included in Table 6 of this Plan Approval No. CE-11-020.

4. Previously Approved, Exempt and Insignificant Sources

A Cleaver Brooks process boiler rated at 6.4 mmBtu/hr was previously approved (C-B-88-014) by MassDEP. The Plan Approval No. C-B-88-014 is not affected by this Plan Approval. Natural gas fired space heaters in use at the Facility are below air quality approval thresholds.

The Permittee also utilizes three cold cleaning degreasers which are exempt from 310 CMR 7.02 Plan Approval requirements as monthly solvent throughput is less than 100 gallons per month and the degreasers meet the specifications of 310 CMR 7.18(8) U Solvent Metal Degreasing (a) Cold Cleaning Degreasing.

Auxiliary equipment used for cleaning extruder dies and other equipment from the polymer compounding lines includes two industrial fluidized bath cleaners. This equipment thermally degrades plastic materials to clean the equipment parts. Potential emissions from this equipment are below de minimis levels, and therefore this equipment was exempt from 310 CMR 7.02 Plan Approval requirements.

5. Best Management Practices (BMPs)

In addition to maintaining a registered Quality System, numerous techniques considered Best Management Practices (BMPs) are employed to minimize emissions, minimize operator exposure, conserve materials and energy, as well as enhance quality. The BMPs are detailed in Table 6 of this Plan Approval.

B. APPLICATION DESCRIPTION

On December 21, 2001, MassDEP issued a Non-Major Comprehensive Plan Approval, Transmittal #108086, to the Permittee for this Facility which detailed the operating conditions and emission limits for the entire Facility.

On September 12, 2011, MassDEP issued a Limited Plan Approval, Application No. **CE-11-019**, Transmittal No. X238799, to the Permittee for relocating a compounding line from another facility to this Facility. The new line is known as “Line M3” and is one of the nine lines incorporated in EU #1.

On July 22, 2011, MassDEP received Transmittal No. X238971, Application No. CE-11-020 to increase the Facility-wide production limits.

On November 29, 2011, the Permittee submitted a Best Available Control Technology (BACT) analysis for the VOC emissions from this Facility. This BACT analysis calculated a cost of control for VOC in excess of \$13,000 per ton VOC removed. MassDEP determined that based on this analysis, it is cost prohibitive to require add-on controls for VOC from this Facility.

On January 13, 2012, the Permittee submitted updated Operation & Maintenance Procedures for the baghouses at this Facility.

This current Plan Approval (Application No. CE-11-020) replaces and supersedes the two previous approvals (Transmittal #108086 and Application No. CE -11-019). The previous underlying plan application materials remain applicable where not superseded by this Plan Approval, CE-11-020. The changes made in this Plan Approval are:

1. The numbers of different types of operating equipment are updated to reflect current operations at this Facility, and minor changes have been made in the description of the Facility.
2. VOC emission factors from compounding operations are changed to reflect the average rather than the highest emission rate factors from the above-described testing that was done at Gitto Global. The new emission factors are listed in Table 7 of this Plan Approval.
3. The previous polymer compounding production limit of 47,225 tons per year has been replaced by a limit of 60,000 tons per year.
4. The yearly VOC limit has been recalculated based on the different emission factors and production limit and has been changed from the previous 28.34 to 27.29 tons per year.
5. The frequency of the required black light testing of the baghouses has been changed from quarterly to annually.
6. It is noted that cadmium compounds are no longer used or emitted at this Facility.
7. It is noted that raw materials containing significant amounts of lead compounds have been eliminated from usage at this Facility. Raw materials containing antimony compounds may have trace quantities of lead which naturally occur in antimony ores, and this lead may require reporting under Toxics Use Reduction Act reporting requirements.

2. EMISSION UNIT (EU) IDENTIFICATION

Each Emission Unit (EU) identified in Table 1 is subject to and regulated by this Plan Approval:

Table 1			
EU#	Description	Design Capacity	Pollution Control Device (PCD)
1	Polymer Compounding	n/a	Baghouses
2	Color Concentrate	n/a	n/a

Table 1 Key:

EU# = Emission Unit Number

PCD = Pollution Control Device

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION AND EMISSION LIMITS

The Permittee is subject to, and shall not exceed the Operational, Production, and Emission Limits as contained in Table 2, below:

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit¹
1	60,000 tons per calendar year compounded polymer products	VOC	4.0 TPM, 27.29 TPY
		Ammonia	2.3 TPM, 16.60 TPY
		HAPs (total) ²	<1 TPY
1 & 2	EU #1: 60,000 tons per calendar year compounded polymer products EU #2: no applicable production limits Both EU #1 & #2: BMPs	PM	0.01 grains/ACF baghouse exhaust; 5.19 TPY baghouse exhaust; 1.95 TPY uncontrolled general ventilation
Facility-wide		PM	7.14 TPY

1. The methods for emission calculations are detailed in Tables 6 and 7.

2. HAP emissions include particulates such as antimony, chromium, and lead. Volatile HAP emissions include Vinyl Chloride Monomer. The potential for all HAPs at the Facility from process emissions is below significant (less than 1 ton) permitting levels.

Table 2 Key:

EU# = Emission Unit Number

PM = Total Particulate Matter

VOC = Volatile Organic Compounds

HAPs (total) = total Hazardous Air Pollutants.

TPM = tons per calendar month

TPY = tons per consecutive 12-month period

ACF = actual cubic foot

BMPs = Best Management Practices

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to, and shall comply with, the monitoring, testing, record keeping, and reporting requirements as contained in Tables 3, 4, and 5 below:

Table 3	
EU#	Monitoring and Testing Requirements
1	1. The Permittee shall track usage of all raw materials to enable input to emission calculation and record keeping databases.
Facility-wide	2. The Permittee shall monitor all operations to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.
	3. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13.

Table 3 Key:

EU# = Emission Unit Number

Table 4	
EU#	Record Keeping Requirements
EU#1	1. Material Use Inventories. A computerized database record (log) shall be kept of daily production. This log shall document the polymer compound, the compound classification as noted in Table 7, and the tons or pounds of compounded product produced on each line on a daily basis. This shall be summarized on a monthly basis and the VOC/Ammonia emissions (in pounds) shall be calculated to document compliance with the calendar month short-term and consecutive twelve-month long-term emission limits noted herein. New compounded products shall be classified into existing product groups noted in Table 7 if applicable. Color concentrate packaging production records shall also be documented.
Facility-wide	2. The Permittee shall maintain adequate records on-site to demonstrate compliance with all operational, production, and emission limits contained in Table 2 above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve month period (current month plus prior eleven months). These records shall be compiled no later than the 15 th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/dep/air/approvals/aqforms.htm#report .
	3. The Permittee shall maintain records of monitoring and testing as required by Table 3.
	4. The Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) and PCDs approved herein on-site.
	5. The Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(s) and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.

Table 4	
EU#	Record Keeping Requirements
	6. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s) PCDs and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; and the date and time corrective actions were initiated and completed.
	7. The Permittee shall maintain records to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.
	8. The Permittee shall maintain records required by this Plan Approval on-site for a minimum of five (5) years.
	9. The Permittee shall make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.

Table 4 Key:

EU# = Emission Unit Number
PCD = Pollution Control Device
SOMP = Standard Operating and Maintenance Procedure
USEPA = United States Environmental Protection Agency
VOC = Volatile Organic Compounds

Table 5	
EU#	Reporting Requirements
Facility-wide	1. The Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).
	2. The Permittee shall notify the Central Regional Office of MassDEP, BWP C&E Chief by telephone [(508)767-2757,] email, [John.Kronopolus@state.ma.us] or fax [(508) 792-7621] as soon as possible, but no later than one (1) business day after discovery of an exceedance(s) of Table 2 requirements. A written report shall be submitted to the C&E Chief at MassDEP within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).
	3. The Permittee shall report to MassDEP, in accordance with 310 CMR 7.12, all information as required by the Source Registration/Emission Statement Form. The Permittee shall note therein any minor changes (under 310 CMR 7.02(2)(e), 7.03, 7.26, etc.), which did not require Plan Approval.
	4. The Permittee shall provide a copy to MassDEP of any record required to be maintained by this Plan Approval within 30-days from MassDEP's request.
	5. The Permittee shall submit to MassDEP for approval a stack emission pretest protocol, at least 30 days prior to emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.
	6. The Permittee shall submit to MassDEP a final stack emission test results report, within 45 days after emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.

Table 5 Key:

EU# = Emission Unit Number

4. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to, and shall comply with, the following special terms and conditions:

A. The Permittee shall comply with the Special Terms and Conditions as contained in Table 6 below:

Table 6	
EU#	Special Terms and Conditions
EU#1 & EU #2	1. The Permittee shall utilize good housekeeping throughout the Facility. Fugitive particulate emissions shall be minimized by picking up spilled powder ingredients with a vacuum device equipped with a HEPA filter or by scoop for reuse or recycle. Personnel adding powdered materials to blenders or other process equipment shall follow written procedures and training provided by the Permittee to minimize exposure and particulate entrainment into production areas.
	2. Covered drum assemblies shall be utilized when emptying baghouses.
	3. Routine inspections of the following equipment shall be performed by the Permittee according to the following schedule: <div><div>a) Baghouses pressure drop (“Δp”)Daily</div><div>b) Roll Mills exhaust (Δp)Daily</div><div>c) Roll Mills filter cleaningDaily</div><div>d) Housekeeping AuditsBi-weekly</div><div>e) Roof / outdoor inspectionsWeekly</div><div>f) Black light test of baghousesAnnual</div></div>
	4. Baghouses shall be equipped with differential pressure gauges to measure Δp across the filter media while the equipment is operating. Typical operating ranges shall be 1-9 inches water gauge for the baghouse. The supervisor shall be notified if the baghouse is out of range and noted on the daily log sheet which shall be submitted to the maintenance manager for corrective actions.
	5. The filters on the roll mills shall be inspected daily.
	6. Black light inspection of baghouse filters shall be done on an annual basis, or when other daily inspections show results that indicate bag failure is suspected. Inspections, corrective actions, and reinspections shall be documented.
	7. VOC emissions shall be calculated using the emission factors listed in Table 7.
	8. Ammonia emissions shall be calculated by the following formula: Ammonia emissions = AOM Usage x 25% x 5.4%
	9. Particulate Matter (PM) emissions shall be calculated as follows: <div><div>a. Baghouse exhaust PM = 0.01 grains PM/ACF * baghouse air flow rate*baghouse hours of operation.</div><div>b. Uncontrolled general ventilation PM = 3.25 *10⁻⁵ lb PM/lb polymer production * total lb polymer production.</div></div>
	10. The Permittee shall submit to MassDEP documentation of VOC emission factors for new compounded products that do not fall into the Table 7 product categories.
Facility-wide	11. The Permittee shall utilize good housekeeping throughout the Facility. Fugitive particulate emissions shall be minimized by picking up spilled powder ingredients with a vacuum device equipped with a HEPA filter or by scoop for reuse or recycle. Personnel adding powdered materials to blenders or other process equipment shall follow written procedures and training provided by the Permittee to minimize exposure and particulate entrainment into production areas.

Table 6	
EU#	Special Terms and Conditions
	<p>12. The Permittee shall utilize Best Management Practices (BMPs) as detailed below:</p> <p>BMPs include, and are not limited to:</p> <ul style="list-style-type: none"> • integral recycling • housekeeping practices and audits • use of engineering controls to control particulate emissions and minimize operator exposure • training and procedures for production operations • spill containment structures • toxics use reduction and a management directive to eliminate processing of lead compounds • source reduction efforts • Toxic Use Reduction planning including Resource Conservation planning

Table 6 Key:

EU# = Emission Unit Number
AOM = Ammonium Octamolybdate
PM = Total Particulate Matter
VOC = Volatile Organic Compounds
ACF = Actual Cubic Foot
lb = Pound

Table 7	
VOC Emission Factors for EU #1	
Product (Note 1)	Emission Factor (Weight % VOC)
General Purpose – PVC	0.0616
Wire & Cable –PVC	0.0307
Nitrile – PVC	0.0837
Expandables – PVC	0.6766
FR TPOs – Olefin (Flame Resistant) (Note 2)	0.0613
CL TPOs – Olefin (Cross Linking) (Note 3)	0.0193

1. Product categories and emission factors were previously developed for similar operations. The emission factor (weight percent VOC) was determined by Test Method 24, Appendix A, 40 CFR 60. The testing was conducted using representative formulations from each major resin category with the average weights used to determine the VOC emission factor. VOC emissions are inventoried by taking the weight

of each compounded product per month multiplied by the corresponding product category emission factor to determine VOC emissions.

2. FR TPO = flame retardant thermo plastic olefin
3. CL TPO = Cross linking thermo plastic olefin

5. GENERAL CONDITIONS

The Permittee is subject to, and shall comply with, the following general conditions:

- A. Pursuant to 310 CMR 7.01, 7.02, 7.09 and 7.10, should any nuisance condition(s), including but not limited to smoke, dust, odor or noise, occur as the result of the operation of the Facility, then the Permittee shall immediately take appropriate steps including shutdown, if necessary, to abate said nuisance condition(s).
- B. If asbestos remediation/removal will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that all removal/remediation of asbestos shall be done in accordance with 310 CMR 7.15 in its entirety and 310 CMR 4.00.
- C. If construction or demolition will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that construction or demolition shall be done in accordance occur which 310 CMR 7.09(2) and 310 CMR 4.00.
- D. Pursuant to 310 CMR 7.01(2)(b) and 7.02(7)(b), the Permittee shall allow MassDEP and / or USEPA personnel access to the Facility, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
- E. This Plan Approval does not negate the responsibility of the Permittee to comply with any other applicable Federal, State, or local regulations now or in the future.
- F. Should there be any differences between the Application and this Plan Approval, the Plan Approval shall govern.
- G. Failure by the Permittee to comply with any of the above stated conditions will constitute a violation of the 310 CMR 7.00 et seq, and subject the Permittee to enforcement action as provided by law.
- H. Pursuant to 310 CMR 7.02(3)(k), MassDEP may revoke this Plan Approval if the construction work is not commenced within two years from the date of issuance of this Plan Approval, or if the construction work is suspended for one year or more.

- I. This Plan Approval may be suspended, modified, or revoked by MassDEP if MassDEP determines that any condition or part of this Plan Approval is being violated.
- J. This Plan Approval may be modified or amended when in the opinion of MassDEP such is necessary or appropriate to clarify the Plan Approval conditions or after consideration of a written request by the Permittee to amend the Plan Approval conditions.
- K. The Permittee shall conduct emission testing, if requested by MassDEP, in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13. If required, a pretest protocol report shall be submitted to MassDEP at least 30 days prior to emission testing and the final test results report shall be submitted within 45 days after emission testing.
- L. Pursuant to 310 CMR 7.01(3) and 7.02(3)(f), the Permittee shall comply with all conditions contained in this Plan Approval. Should there be any differences between provisions contained in the General Conditions and provisions contained elsewhere in the Plan Approval, the latter shall govern.

6. MASSACHUSETTS ENVIRONMENTAL POLICY ACT

MassDEP has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy & Environmental Affairs, for air quality control purposes, was not required prior to this action by MassDEP. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and 301 CMR 11.00, Section 11.04, provide certain "Fail-Safe Provisions," which allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report (EIR) at a later time.

7. APPEAL PROCESS

This Plan Approval is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Plan Approval.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. Additionally, the request must state why the Plan Approval is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

This request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Should you have any questions concerning this Plan Approval, please contact Paul Dwiggins by telephone at 508-767-2760, or in writing at the letterhead address.

*This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.*

Roseanna E. Stanley
Acting Permit Chief
Bureau of Waste Prevention

ecc: Board of Health / Dept of Health
MassDEP/Boston - Yi Tian
PIMS Administrator